

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CAROLINE NERO, individually	)	8:05CV86
and on behalf of JASMINE NERO	)	
and CHRISTIAN COPERLAND,	)	
minor children,	)	
	)	
Plaintiff,	)	<b>MEMORANDUM</b>
vs.	)	<b>AND ORDER</b>
	)	
OMAHA HOUSING AUTHORITY	)	
and BRAD ASHFORD,	)	
	)	
Defendants	)	

This matter is before the court sua sponte, for docket control purposes. On February 28, 2005, after being advised that it was the joint desire of the parties to continue the hearing on the plaintiff's motion for a temporary restraining order (filing 4) while negotiations were taking place, the court entered an order continuing the hearing until further order. Since then the plaintiff has not advised the court that she desires a hearing on the motion. She has, however, reincorporated her request for a temporary restraining order in an amended complaint (filing 45) that was recently filed.

Because the plaintiff's motion has been pending for six months without being submitted to the court for determination, it will be denied without prejudice. The plaintiff is further advised that the court will not consider the request for a temporary restraining order that is contained in the amended complaint, but will require the plaintiff, if she desires, to file another motion for a temporary restraining order.

IT IS ORDERED that the plaintiff's motion for a temporary restraining order (filing 4) is denied without prejudice.

August 24, 2005.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge